

MESSAGE NO: 1146301 MESSAGE DATE: 05/26/2011

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 67 FR 46176 FR CITE DATE: 07/12/2002

REFERENCE 9313212
MESSAGE #
(s):
CASE #(s): A-570-601

EFFECTIVE DATE: 07/12/2002 COURT CASE #:

PERIOD OF REVIEW: 06/01/1995 TO 05/31/1996

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQ INSTRUCTIONS FOR TAPERED ROLLER BEARINGS FROM CHINA EXPORTED BY THE PRC-WIDE ENTITY FOR 06/01/1995 THROUGH 05/31/1996 (A-570-601-000)

1. ON 03/20/2002, THE U.S. COURT OF INTERNATIONAL TRADE (CIT) ISSUED A FINAL DECISION IN THE CASE OF TIMKEN COMPANY V. UNITED STATES, COURT NO. 97-12-02156. AS A RESULT OF THIS DECISION, THE INJUNCTION TO WHICH MESSAGE NUMBER 9313212 REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON TAPERED ROLLER BEARINGS FROM THE PEOPLE'S REPUBLIC OF CHINA FOR THE PERIOD 06/01/1995 THROUGH 05/31/1996 EXPORTED BY THE PRC-WIDE ENTITY DISSOLVED ON 06/19/2002.

2. FOR ALL SHIPMENTS OF TAPERED ROLLER BEARINGS FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED BY THE PRC-WIDE ENTITY (A-570-601-000) AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 06/01/1995 THROUGH 05/31/1996, ASSESS ANTIDUMPING LIABILITY OF 31.05 PERCENT OF THE ENTERED VALUE.

3. IN THE DEPARTMENT'S FINAL RESULTS (62 FR 61276, 11/17/1997), THE DEPARTMENT DETERMINED THAT THE FOLLOWING EXPORTERS ARE NO LONGER ELIGIBLE FOR A SEPARATE RATE AND ARE CONSIDERED PART OF THE PRC-ENTITY:

EXPORTER: CHINA NATIONAL MACHINERY & EQUIPMENT IMPORT & EXPORT CORPORATION
A-570-601-002

EXPORTER: TIANSHUI HAILIN IMPORT AND EXPORT CORPORATION AND HAILIN BEARING FACTORY
A-570-601-012

EXPORTER: CHINA NATIONAL AUTOMOTIVE INDUSTRY IMPORT & EXPORT CORPORATION (GUIZHOU AUTOMOTIVE)
A-570-601-011

ENTRIES FOR THE EXPORTERS LISTED ABOVE MAY HAVE ALSO ENTERED UNDER A-570-601-000.

THEREFORE, ENTRIES OF TAPERED ROLLER BEARINGS EXPORTED BY THE FIRMS LISTED IN THIS PARAGRAPH, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 06/01/1995 THROUGH 05/31/1996, SHOULD BE LIQUIDATED IN ACCORDANCE WITH THE ASSESSMENT INSTRUCTIONS LISTED IN PARAGRAPH 1 ABOVE FOR THE PRC ENTITY.

4. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 06/01/1995 THROUGH 05/31/1996 OCCURRED WITH THE PUBLICATION OF THE AMENDED FINAL RESULTS OF ADMINISTRATIVE REVIEW (67 FR 46176, 7/12/2002). FOR ALL OTHER SHIPMENTS OF TAPERED ROLLER BEARINGS FROM THE PEOPLE'S REPUBLIC OF CHINA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

5. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER,

PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O8: ECB).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-570-601-000	31.05%	E		PRC-WIDE ENTITY